

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

**RESOLUTION NO. R9-2003-0312**

September 10, 2003

**A RESOLUTION SUPPORTING THE CITY OF SAN DIEGO'S REQUEST FOR TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000) FROM THE STATE WATER POLLUTION CLEANUP AND ABATEMENT ACCOUNT FOR SOURCE ANALYSIS, MODELING AND TECHNICAL WORK ON DEVELOPING CLEANUP LEVELS PERTAINING TO CONTAMINATED SEDIMENT AT THE MOUTH OF CHOLLAS CREEK.**

*Whereas*, sediment contamination at the mouth of Chollas Creek in the San Diego Bay poses a threat to wildlife and the public health from the potential for contaminants to bioaccumulate and biomagnify in aquatic organisms that may be consumed by wildlife and humans; and

*Whereas*, Chollas Creek and the Mouth of Chollas Creek are both on the 2002 CWA Section 303(d) List of Impaired Waters; and

*Whereas*, the State of California and the Regional Board has designated the Mouth of Chollas Creek a Toxic Hot Spot, pursuant to Water Code Section 13392; and

*Whereas*, portions of San Diego Bay affected by bay bottom contaminated sediment require immediate attention and sediment cleanup level decisions must be made; and

*Whereas*, the source(s) of contamination at Chollas Creek are presently unknown; and

*Whereas*, the results of this analysis will identify and ultimately abate sources of pollution to Chollas Creek and San Diego Bay; and

*Whereas*, the results of this analysis will provide a firm foundation for developing site specific cleanup levels at Chollas Creek that would be fully protective of beneficial uses; and

*Whereas*, by memorandum dated August 26, 2003, the Executive Officer requested funding in the amount of two hundred sixty thousand dollars (\$260,000) from the State Water Pollution Cleanup and Abatement Account to enable the Regional Board staff to conduct pollution source analyses, modeling and develop cleanup levels pertaining to contaminated sediment at the mouth of Chollas Creek; and

**Whereas,** the California Regional Water Quality Control Board, San Diego Region, may recover these costs from the party(s) identified as responsible for the source of the pollution in Chollas Creek; and

**Whereas,** Section 13442 of the California Water Code allows for any public agency with authority to clean up a waste or abate the effects thereof to apply to the State Water Resources Control Board for a grant from the State Water Pollution Cleanup and Abatement Account to assist in cleaning up the waste or abating its effects on waters of the state; and

**Therefore, be it Resolved,** that the California Regional Water Quality Control Board, San Diego Region, hereby requests the State Water Resources Control Board to grant two hundred sixty thousand dollars (\$260,000) from the State Water Pollution Cleanup and Abatement Account for source analysis, modeling and technical work on developing cleanup levels pertaining to contaminated sediment at the mouth of Chollas Creek in San Diego Bay.

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JOHN MINAN

*Chairman,*

*California Regional Water Quality Control Board*

*San Diego Region*